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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,398	09/15/2003	Bradley W. Johnson	720.553 PAL.UA-Multi-Tabl	2913
21707 7590 12/05/2007 IAN F. BURNS & ASSOCIATES P.O. BOX 71115 RENO, NV 89570			EXAMINER SAGER, MARK ALAN	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 12/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/663,398	JOHNSON, BRADLEY W.	
	Examiner	Art Unit	
	M. A. Sager	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-34 and 37-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 5-34, 37-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10-4-07</u> | 6) <input type="checkbox"/> Other: _____ |

Allowable Subject Matter

1. The indicated allowability of claim 4 is withdrawn in view of the newly discovered reference(s) to Jarvis. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-2, 5-34 and 37-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (6508709) in view of Jarvis (6890255). As best understood with broadest reasonable interpretation of claim language, Karmarkar discloses a gaming device (abstract, 1:66-3:57, figs. 1-17) including a plurality of networked game sources each game source being configured to capture and transmit at least one game being played on at least one physical game table or plurality of capturing means for capturing a plurality of games being played on a plurality of physical game tables such as a plurality of video cameras configured to capture images of live games, further at least one transmitting means for transmitting the plurality of games to at least one display means displaying the plurality of games to a player, wherein each game source comprises at least one video camera, the video camera being configured to capture images of a live game or wherein each game source comprises recorded games stored in a server, and the gaming device further comprises at least one video processor, the video processor being configured to provide playback of the recorded games, a recording means for recording a plurality of games and a processing means configured to provide playback of recorded games, wherein the game source provides games or capturing means captures games from a group consisting of roulette, craps, blackjack, poker, keno, pai gow, baccarat, and bingo or provides at

least one table game, (abstract, 1:66-3:57, 5:42-7:57, 8:21-28, 9:38-10:7, 11:39-67, 17:55-58, 18:58-19:5, 20:18-37, figs. 1-17, ref 20, 22, 26, 28, 32, 34), at least one player interface or a means for interfacing the plurality of games to be playable at a single time (abstract, 1:66-3:57, 16:45-17:16, 17:33-21:45, figs. 1-17, esp. 1-13, refs. 46, 54) in communication with the plurality of networked game sources, the player interface comprising a display device and an input device, the player interface being adapted to receive the at least one game from the plurality of networked game sources, display the at least one game to a player, and allow the player to play the at least one game, wherein the player may place a wager on the at least one game and wherein the player may play the plurality of games at a single time, further comprising an input means for allowing a player to place a wager (abstract, 1:66-3:57, 7:58-8:47, 11:39-13:48, 14:54-15:20, 115:49-17:15, 17:44-18:30, 18:49-21:45, 22:8-18, figs. 1-17), wherein the player is allowed to apply one set of wagers to a plurality of games (17:55-58, 18:5-12), wherein the game source and the display device or the transmitting means and the display are connected using wireless communications (7:43-47, 7:58-8:47, 12:1-19, figs. 1-8), wherein the player interface or means for interfacing is configured to provide gaming instructions to the player (1:66-3:57, esp. 3:14-26, 20:62-67), wherein the processing means generates random winning numbers (13:49-63), a method for playing multiple games simultaneously (abstract, 1:66-3:57, 5:42-7:57, 8:21-28, 9:38-10:7, 11:39-67, 16:45-17:16, 17:33-21:45, figs. 1-17) including providing at least one game source, the game source being adapted to provide a plurality of games to a player, providing an input device, the input device being adapted to allow the player to enter wager information, allowing the player to select a plurality of games to play; allowing the player to play the plurality of games at a single time (supra). Also, Karmarkar includes providing at least

one game source adapted to provide a plurality of roulette games to a player (as from either casino has a plurality of live roulette game tables as conventional or a plurality of pre-recorded/stored live roulette game table play or a plurality of players playing at a either a single/plurality of live roulette game tables or a combination thereof, sic), providing a roulette wagering field adapted to present the player available wagering schemes usable for playing the plurality of roulette games (19:36-41, 53-55, 20:18-33, 21:31-45, 22:35-26:46, figs. 1-17, ref. 460-466, implicit for wagering on multiple live table games including multiple roulette games at least as noted claims of Karmarkar are not limited to diverse/dissimilar games and example includes similar games), providing an input device adapted to allow the player to enter wager information including touch screen (figs. 1-17, esp. 9-13, ref 420), allowing player to select a plurality of roulette games to play (17:33-18:30, 20:18-33, ref 460-466), allowing the player to create at least one set of wagers (sic, implicit), allowing the player to play a plurality of roulette games with the set of wagers at a single time (18:5-12, fig. 1-13, implicit), providing gaming lessons to player (sic), allowing the player to apply varying sets of wagers to the plurality of games (16:8-17:15, 17:33-18:30, 18:58-20:29, 20:38-21:45, :22:8-18, 22:35-26:35, fig. 1-13, implicit due to configured to permit placing wager on any game activity at any physical game table or game machine in complex mode or wager for/against any player at any table or game machine while also adapted to permit placing multiple wagers (17:55-58, 19:53-54, 20:18-33, 22:35-53), allowing the player to place a progressive wager and determining a progressive game outcome based on outcomes from the plurality of games such as a progressive win outcome in one of the plurality of games where the prize is a progressive amount or a pre-determined amount (20:38-45, 22:8-18, implicit). Karmarkar permits wagering on multiple simultaneous

similar or dissimilar/diverse games that implicitly includes a plurality of live roulette table games transmitted from at least one game source or a plurality of game sources (supra). Further, Karmarkar discloses a gaming system including a plurality of networked roulette game sources, each game source being configured to transmit at least one game, at least one roulette game source comprising a live game source comprising a game being played on at least one physical roulette game, each game having a game outcome, a gaming device (ref 46, 54) including: a player input device allowing a player to place a wager on at least one of the games such as a touch screen (3:44-46, 16:8-13), a player display allowing a plurality of games to be simultaneously presented to the player (fig. 13), a user interface in communication with the gaming device and configured to transmit data to the gaming device (figs. 1-13), a table management system in communication with the user interface, the table management system storing data received from the user interface (23:1-26:46, figs. 1-17, ref. 26, 28, 32, 34, 42, 46, 50, 54), a ball reader proximate the physical game table and transmitting game data to a first processor (13:32-36, ref 60, 70, 80, 152, 154, 156), a first video processor in communication with the live game source, the user interface, and the ball reader, the first video processor receiving data from the live game source, the first video processor configured to compress the live game source data and to transmit the compressed live game source data (23:1-26:46, figs. 1-17, ref, 26, 28, 32, 34, 42, 50, 54), a video server in communication with the plurality of game sources and configured to combine data from the plurality of game sources into a single data stream (refs. 26, 28, 32, 34, 50), a second video processor in communication with the video server, receiving the compressed data from the video server, decompressing the compressed data, and transmitting the decompressed data to the player display; wherein the player may place a

wager on the at least one game and wherein the player may play the plurality of games at a single time (ref. 46, 54), further comprising a video recording device such as a video camera, the video recording device recording the live game source and transmitting the recording to the first video processor (refs. 26, 28, 32, 34, 50). Regarding a ball reader proximate physical game table and transmitting game data to a first video processor, Karmarkar discusses a plurality of video cameras (20:36-37, ref. 60) proximate physical game tables where real time image processing techniques to generate encoded video of the progress and outcome of each of the ongoing games is implicitly, for a roulette table game, a ball reader at each of the plurality physical roulette game tables in a casino (13:32-36, 19:36-41, 21:31-45). Since Karmarkar discloses an automated system, device and method that permits remote progressive gaming across a plurality of networked casinos (20:38-45, 22:8-18), Karmarkar implicitly includes an interface card such as on a motherboard or within processor of gaming device or host in communication with display device configured to detect progressive bet and winning and a controller (such as in progressive game controller that tracks/accumulates and determines wins) in communication with interface card configured to credit progressive contributions and determine progressive amount. As evidence only that progressive play, as claimed was common knowledge or hornbook engineering that Karmarkar was not compelled to further discuss, see Adams (abstract, 2:16-62, 7:63-12:67, figs. 1-7, esp. 1, 3-4 and 7) or Lamle (abstract, 1:45-2:10, 2:23-3:16, 4:1-66, figs 1A-1B) or Orenstein (abstract, 1:43-2:51, 5:23-6:7, figs. 1-7) each disclose an interface card in communication with the display device, the interface card being configured to detect progressive bet and progressive winning, and a controller in communication with interface card, the controller being configured to credit progressive contributions and determine progressive

amount. Thus, Karmarkar implicitly includes an interface card in communication with the display device, the interface card being configured to detect progressive bet and progressive winning, and a controller in communication with interface card, the controller being configured to credit progressive contributions and determine progressive amount. Therefore, Karmarkar discloses all features/steps (sic) including a progressive jackpot controller that provides either predetermined, random or progressive jackpot prize (22:8-18), but lacks 'of at least two of the plurality of game sources' (clm 1), 'of the plurality of games' (clm 8), 'of at least two of the plurality of roulette games played' (clm 20), 'of at least two of the plurality of games played' (clm 30), 'at least two of the plurality of games' (clm 33). However, wagering on an event across multiple games as claimed is known such as multiple roulette wheel wagering for a number to be matched on multiple roulette wheels (3:41-60, 4:33-36, 9:53-65) as taught by Jarvis. Also, Jarvis is relevant prior art at least for being within field of applicant's endeavor or for being reasonably pertinent to the particular problem with which the applicant was concerned. Thus, it would have been obvious to an artisan at a time prior to the invention to add 'of at least two of the plurality of game sources', 'of the plurality of games', 'of at least two of the plurality of roulette games played', 'of at least two of the plurality of games played', 'at least two of the plurality of games' as taught by Jarvis to Karmarkar to provide a special payout for repeat selection of a number on multiple different wheels. Essentially, the claimed invention including awarding a prize based on outcome across a plurality of games played fails to patentably distinguish over combination of Karmarkar and Jarvis when taken as a whole at a time prior to the invention which suggests to an artisan the claimed system, device, and method.

Response to Arguments

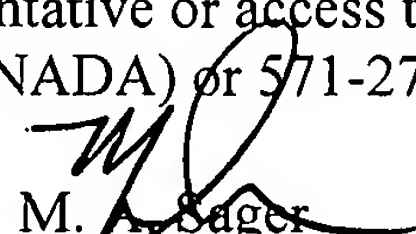
4. Applicant's arguments with respect to claims 1-2, 5-34 and 37-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. A. Sager whose telephone number is 571-272-4454. The examiner can normally be reached on T-F, 0700-1730 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


M. A. Sager
Primary Examiner
Art Unit 3714

mas